

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Social Welfare - Visakhapatnam District - Madhuravada village of Visakhapatnam Mandal - Release of an amount of Rs.13,94,045/- towards decretal charges to comply with the orders of Hon'ble High Court in AS.Nos.66/1997 and 178/197 against OP.Nos.178/88 and 10/89 to 17/89- Permission Accorded - Orders - issued.

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SOCIAL WELFARE (LA) DEPARTMENT

G.O.RT.No:662

Dated : 25-09-2008.

Read the following :

1. From the District Collector, Visakhapatnam, Letter Rc.No.40/95/E2/SW, dated. 9-12-2004.
2. From the Commissioner of Social Welfare, Andhra Pradesh, Hyderabad, Letter Rc.No.LA3/17876/2004, dated. 19/4/2006.
3. Govt. Memo.No.3763/LA(1)/06-2, Social Welfare Dept., dated.20-6-2008.
4. From the Commissioner of Social Welfare, AP, Hyderabad, Letter Rc.No.LA3/17876/2004, dated.18-4-2008.

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ORDER:

The Commissioner of Social Welfare, Andhra Pradesh, Hyderabad, in the reference second and 4th read above has forwarded the proposals received from the District Collector, Visakhapatnam for release of an amount of Rs.13,94,045/- towards decretal charges to comply with the orders of Hon'ble High Court in AS.Nos.66/1997 and 178/197 against OP.Nos.178/88 and 10/89 to 17/89.

2. The brief facts of the case as stated by the Commissioner of Social Welfare, Andhra Pradesh, Hyderabad, are that the Land Acquisition Officer has acquired the land for an extent of Ac.19.36 in S.No.34,37,39 in Bottivanipalem H/o Madhuravada Village of Visakhapatnam Mandal and passed Award No.1/85 dated.1/2/1985 fixing the market value @ Rs.30,000/- per acre for provision of house sites to the weaker section people. Under Section 18 of Land Acquisition Act, the Land Acquisition Officer has referred the cases to the Principal Subordinate Judge and the Subordinate Judge, in OP.Nos.178/88 and 10/89 to 17/89 enhanced the market value from Rs.30,000/- to Rs.60,000/- per acre in order dated.1-11-1994. The Land Acquisition Officer has filed appeal in the Hon'ble High Court of Andhra Pradesh against the orders of the Principal Subordinate Judge, Visakhapatnam. The A.P. High Court in its common judgment in AS.Nos.66/1997 and 178/1997, dated. 12-7-2004 has confirmed the Lower Court judgment and dismissed the appeal without costs and allowed the claimants for payment of interest on 30% Solatium.

3. In view of the above circumstances, after careful examination and in consultation with Law and Finance Departments, the Government hereby accord permission to the Commissioner of Social Welfare, Andhra Pradesh, Hyderabad, for release of an amount of Rs.13,94,045/- (Rupees thirteen lakhs ninety four thousands and forty five only) to the District to the District Collector, Visakhapatnam towards decretal charges to comply with the orders of the Hon'ble High Court in AS.Nos.66/1997 and 178/1997 against OP.Nos.178/88 and 10/89 to 17/89.

4. The expenditure sanctioned in para (3) above shall be debited to "2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes - 01 Welfare of Scheduled Castes - M.H.283- Housing - GH.11- Normal State Plan - SH (08) - Acquisition of House Sites to weaker sections under INDIRAMMA Programme - 310 - Grants-in-aid 312 - Other Grants-in-aid " and shall be met from the provision available in Budget Estimates 2006-07.

(PTO)

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5. The Commissioner of Social Welfare, Hyderabad, is requested to issue necessary proceedings to the District Collector, Visakhapatnam, to deposit the amount sanctioned above to comply with the orders of the Court.

6. The District Collector, Visakhapatnam, is requested to verify the calculation sheet submitted by the Land Acquisition Officer once again before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. The District Collector, Visakhapatnam shall initiate disciplinary action against the Land Acquisition Officer and other officials responsible for the lapses and delay of three years to appeal before the Hon'ble High Court.

8. This order issues with the concurrence of Finance (Exp.SW) Department vide their U.O. No. 20502-A/309/A1/Expr.SW/08, Dated.29-8-2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY,
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Social Welfare, Andhra Pradesh, Hyderabad.
The District Collector, Visakhapatnam.

Copy to :

The Director of Treasuries and Accounts, A.P. Hyderabad.
The Pay and Accounts Officer, Hyderabad.
The Accountant General, A.P, Hyderabad.
The District Treasury Officer, Visakhapatnam.
Finance (Exp.SW) /(BG) Department.
Sf/sc

//FORWARDED::BY ORDER//

SECTION OFFICER